

EXHIBIT C

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Group, Inc., CXO Media, Inc. and Steve Ragan

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RIVER CITY MEDIA, LLC, a Wyoming
limited liability company, MARK
FERRIS, an individual, MATT FERRIS,
an individual, and AMBER PAUL, an
individual,

Plaintiffs,

vs.

No. 2:17-cv-105-SAB

DEFENDANT INTERNATIONAL DATA
GROUP, INC.'S OBJECTIONS AND
RESPONSES TO PLAINTIFFS' FIRST SET
OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO INTERNATIONAL
DATA GROUP, INC.

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1 KROMTECH ALLIANCE
2 CORPORATION, a German corporation,
3 CHRIS VICKERY, an individual, CXO
4 MEDIA, INC., a Massachusetts
5 corporation, INTERNATIONAL DATA
6 GROUP, INC., a Massachusetts
7 corporation, and STEVE RAGAN, an
individual, and DOES 1-50,

Defendants.

8 Defendant International Data Group, Inc. ("Defendant" or "IDG") serves these
9 Objections and Responses to Plaintiffs River City Media, LLC's ("RCM"), Mark Ferris',
10 Matt Ferris', and Amber Paul's (collectively, "Plaintiffs") First Set of Interrogatories and
11 Requests for Production as follows:

12
13 **A. GENERAL OBJECTIONS**

14 Defendant generally objects to the Requests to the extent that they call for
15 information protected by the attorney-client privilege, work-product doctrine, or any
16 other privilege protected by law. Defendant's production of privileged information or
17 materials, if any, is inadvertent and does not constitute waiver of any privilege. See Fed.
18 R. Civ. P. 26(b)(5)(B).

19
20 Defendant's objections and responses are based on all information readily
21 available to Defendant at this time, and may be amended, supplemented, or corrected to
22 state an objection or response that is currently inapplicable or unknown after reasonable
23

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1 inquiry. Defendant reserves its right to amend, supplement, or correct its objections and
 2 responses if and when appropriate. See Fed. R. Civ. P. 26(e)(1).

3
 4 No response to a Request is intended to indicate that Defendant agrees with any
 5 explicit or implicit characterization of the facts, events, circumstances, and/or issues in
 6 the Requests, or that any such characterization is relevant to this lawsuit or any other
 7 action or proceeding.

8
 9 Defendant objects to the Requests seeking production of confidential or other
 10 sensitive information or materials. Should the parties enter into an agreement regarding
 11 treatment of confidential documents and information, Defendant will supplement with
 12 appropriately-designated documents and information.

13
 14 These General Objections apply to Defendant's responses to each and every
 15 Request whether or not expressly incorporated.

16 OBJECTIONS AND RESPONSES TO SPECIFIC REQUESTS

17 **REQUEST FOR PRODUCTION NO. 1:** Produce all Documents related to
 18 IDG's corporate structure, including all subsidiaries, parent companies, holding
 19 companies, and *any* company holding more than a 10% interest in IDG.

20 **RESPONSE:** IDG objects to the portion of this Request that asks IDG to produce
 21 all documents related to its "corporate structure" as it is vague and overly broad. IDG
 22 also objects on the ground that this Request calls for confidential and commercially-
 23 sensitive information. Should the parties enter into an agreement regarding treatment of

24
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1 confidential documents, Defendant will supplement with appropriately-designated
2 documents.

3 **REQUEST FOR PRODUCTION NO. 2:** Produce all Documents related to
4 IDG's corporate structure, including all subsidiaries, parent companies, holding
5 companies, and *any* company for which IDG holds more than a 10% interest

6 **RESPONSE:** IDG objects to the portion of this Request that asks IDG to produce
7 all documents related to its "corporate structure" as it is vague and overly broad. IDG
8 also objects on the ground that this Request calls for confidential and commercially-
9 sensitive information. Should the parties enter into an agreement regarding treatment of
10 confidential documents, Defendant will supplement with appropriately-designated
11 documents.

12 **REQUEST FOR PRODUCTION NO. 3:** Produce all Documents related to
13 IDG's executive leadership team (meaning all managers, C-suite executives, and/or
14 corporate officers), including the name, title, and employment history for each of
15 the following individuals:

16 (a) Ted Bloom

17 (b) Michael Friedenberg

18 (c) Kirk Campbell

19 **RESPONSE:** IDG objects to this Request on the ground that it is overly broad.
20 Subject to and without waiving the foregoing, and subject to and without waiving its
21 general objections, IDG will produce responsive, non-privileged documents relating to
22 the name, title, and employment history for Ted Bloom and Kirk Campbell and a chart
23 listing board-elected officers of IDG. Michael Friedenberg has never been an employee
24 of IDG.

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1 **REQUEST FOR PRODUCTION NO. 4:** Produce all Documents related to
2 IDG's relationship with CXO Media, Inc.

3 **RESPONSE:** IDG objects to this Request on the ground that it is overly broad
4 and also vague as to "relationship." IDG also objects on the ground that this Request
5 calls for confidential and commercially-sensitive information. Should the parties enter
6 into an agreement regarding treatment of confidential documents, Defendant will
7 supplement with appropriately-designated documents.

8 **REQUEST FOR PRODUCTION NO. 5:** Produce all Documents related to IDG'
9 s advertising and marketing of IDG' s media properties in the state of Washington.

10 **RESPONSE:** IDG objects to this request on the ground that it is vague as to what
11 is meant by "IDG's media properties." IDG also objects to this request on the ground
12 that it is overly broad and directed to general jurisdiction even though (1) the Court's
13 Order (ECF No. 60 at 4) specifically states that "Plaintiffs are only relying on specific
14 jurisdiction"; (2) Plaintiffs' counsel expressly disclaimed general jurisdiction at the
15 hearing on IDG's Motion to Dismiss; and (3) Plaintiffs do not allege general jurisdiction
16 in their Complaint. Subject to and without waiving the foregoing, and subject to and
17 without waiving IDG's general objections, IDG states that it is aware of no such
18 documents.

19 **REQUEST FOR PRODUCTION NO. 6:** Produce all Documents related to total
20 sales of each of IDG's products or services, including subscriptions or
21 memberships to magazines or news sites, whether print or online, in the United
22 States generally and to Washington residents specifically.

23 **RESPONSE:** IDG objects to this request on the ground that it is directed to
24 general jurisdiction even though (1) the Court's Order (ECF No. 60 at 4) specifically
states that "Plaintiffs are only relying on specific jurisdiction"; (2) Plaintiffs' counsel

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1 expressly disclaimed general jurisdiction at the hearing on IDG's Motion to Dismiss; and
 2 (3) Plaintiffs do not allege general jurisdiction in their Complaint. IDG also objects to
 3 this Request on the ground that it is overly broad. Subject to and without waiving the
 4 foregoing, and subject to and without waiving IDG's general objections, IDG states that
 5 it has no documents related to sale of products or services to Washington residents.

6 **REQUEST FOR PRODUCTION NO. 7:** Produce all Documents related to
 7 IDG's income derived from advertising on its websites to Washington state
 8 residents.

9 **RESPONSE:** IDG objects to this request on the ground that it is overly broad and
 10 directed to general jurisdiction even though (1) the Court's Order (ECF No. 60 at 4)
 11 specifically states that "Plaintiffs are only relying on specific jurisdiction"; (2) Plaintiffs'
 12 counsel expressly disclaimed general jurisdiction at the hearing on IDG's Motion to
 13 Dismiss; and (3) Plaintiffs do not allege general jurisdiction in their Complaint. Subject
 14 to and without waiving the foregoing, and subject to and without waiving IDG's general
 15 objections, IDG states that it is aware of no such documents.

16 **REQUEST FOR PRODUCTION NO. 8:** For each Request for Admission that
 17 you do not admit, produce all Documents related to or explaining your reasons for
 18 not admitting each such Request for Admission.

19 **RESPONSE:** IDG objects to this request on the ground that it is overly broad.

20 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

21 **INTERROGATORY NO. 1:** Describe IDG's corporate structure, including all
 22 entities for which IDG holds or controls more than 10% of an entity's stock.

23 **RESPONSE:** IDG objects to the portion of this Interrogatory that asks IDG to
 24 describe its "corporate structure" as it is vague and overly broad. IDG also objects on the

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ground that this Interrogatory calls for confidential and commercially-sensitive information. Should the parties enter into an agreement regarding treatment of confidential information, Defendant will supplement with appropriately-designated information regarding IDG's ownership structure.

INTERROGATORY NO. 2: Identify each "brand" or "property" that IDG owns or operates as those terms are used on the following website: <https://www.idg.com/properties/>.

RESPONSE: Subject to IDG's general objections, IDG states that it does not own CSO or any other brand/property identified on <https://www.idg.com/properties/>. IDG owns the trademark to each of the properties but it does not own or operate the businesses associated with those trademarks. For example, www.csoonline.com – the website hosting one of the two articles at issue in this suit – is owned and operated by CXO Media, Inc., not IDG. Further, IDG does not own or control CXO Media, Inc.

INTERROGATORY NO. 3: For each "brand" or "property" identified in response to Interrogatory No. 2, provide the following information:

- (a) The amount of revenue the brand or property generates through the sale of its products or services in the United States.
- (b) The amount of revenue the brand or property generates through advertising, whether print- or internet-based in the United States.
- (c) The amount of revenue the brand or property generates through the sale of its products or services to residents of the state of Washington.
- (d) The amount of revenue the brand or property generates through advertising, whether print- or internet-based from views or subscriptions to residents of the state of Washington.

(e) If the brand or property is an online website, the number of views or daily unique visitors with IP addresses geolocated within the state of Washington.

(f) If the brand or property is a print product, the number of paid subscriptions sent to an address in the state of Washington.

RESPONSE: IDG objects to this request on the ground that it is overly broad and directed to general jurisdiction even though (1) the Court's Order (ECF No. 60 at 4) specifically states that "Plaintiffs are only relying on specific jurisdiction"; (2) Plaintiffs' counsel expressly disclaimed general jurisdiction at the hearing on IDG's Motion to Dismiss; and (3) Plaintiffs do not allege general jurisdiction in their Complaint. Subject to and without waiving the foregoing, and subject to and without waiving IDG's general objections, IDG states that, as noted in response to Interrogatory No. 2, IDG does not own the properties/brands identified at <https://www.idg.com/properties/>. Instead, IDG only owns the trademarks but does not own or operate the businesses associated with the trademarks. For example, www.csoononline.com – the website hosting one of the two articles at issue in this suit – is owned and operated by CXO Media, Inc., not IDG. Further, IDG does not own CXO Media, Inc. Consequently, the answer is none for subparts (a)-(f).

INTERROGATORY NO. 4: Describe IDG's relationship to CXO Media, Inc.

RESPONSE: IDG objects to this interrogatory on the ground that it is overly broad and vague as to "relationship." Subject to and without waiving the foregoing, and subject to and without waiving IDG's general objections, IDG states that it does not own CXO Media, Inc. ("CXO"). CXO is owned by IDG Communications, Inc. IDG owns IDG Communications, Inc. but does not own CXO. IDG does not control the day-to-day activities of CXO but does provide, in exchange for a fee, accounting, legal, payroll, IT,

1 and credit/collection services. However, final decisions with respect to each of those
2 matters are made by CXO for CXO.

3 **INTERROGATORY NO. 5:** Identify IDG's executive leadership team (meaning
4 all managers, C-suite executives, and/or corporate officers).

5 **RESPONSE:** Subject to and without waiving its general objections,
6 pursuant to Rule 33(d) IDG elects, in lieu of providing a narrative answer, to
7 produce a chart from which its board-elected officers can be derived. In addition
8 to those individuals, Donna Marr is Chief Accounting Officer for IDG, Amy
9 Hanania is Corporate Credit Manager for IDG, and Bushra Khalid is Systems
10 Development Manager for IDG.

11 **INTERROGATORY NO. 6:** For each executive identified in response to
12 Interrogatory No. 5, provide the following:

- 13 (a) Does the executive serve as a member of any other company's
14 executive leadership team? If so, identify that company or
15 companies.
16 (b) Does the executive serve as a member of any other entity within the
17 IDG family? For purposes of this Interrogatory, the "IDG family"
18 means any company identified as a "property" or "brand" of IDG
19 on the following website: <https://www.idg.com/properties/>.

20 **RESPONSE:** IDG objects to this Interrogatory on the ground that it is
21 overly broad and is also vague as to "executive leadership team". IDG also objects
22 to this Interrogatory on the ground that it is overly broad in seeking information
23 about companies that have nothing to do with this lawsuit. Subject to and without
24 waiving the foregoing, and subject to and without waiving IDG's general
objections, IDG states that it does not manage or control the day-to-day operations

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1 of CXO Media, Inc. The president of CXO Media, Inc. runs CXO Media, Inc.'s
 2 business. Further, pursuant to Rule 33(d) IDG elects, in lieu of providing a
 3 narrative answer regarding officers among various companies, to produce a
 4 spreadsheet from which board-elected officers and directors can be derived.

5 **INTERROGATORY NO. 9 [SIC]:** Describe how IDG earns revenue.

6 **RESPONSE:** IDG objects to this Interrogatory on the ground that it is overly
 7 broad and not limited in time. Subject to and without waiving the foregoing, and
 8 subject to and without waiving IDG's general objections, IDG states that over the
 9 last year it has earned income from the following: interest income from cash on
 10 hand at banks or brokerage accounts; capital gains; and dividends from
 11 subsidiaries (none of which are co-Defendants in this lawsuit).

12 Respectfully November 28, 2017.

13 s/Kevin J. Curtis, WSBA No. 12085
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CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury under the laws of the State of Washington that on the 28th day of November, 2017, at Spokane, Washington, the foregoing was caused to be served on the following person(s) in the manner indicated:

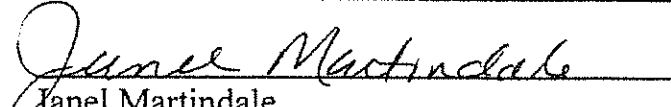
<p>Jason E. Bernstein Newman Du Wors LLP 2101 Fourth Avenue, Suite 1500 Seattle, WA 98121 jake@newmanlaw.com</p> <p>Leeor Neta Newman Du Wors LLP 600 California St., 11th Floor San Francisco, CA 94109 leeor@newmanlaw.com</p> <p>Attorneys for Plaintiffs</p>	<p>VIA REGULAR MAIL <input type="checkbox"/></p> <p>VIA CERTIFIED MAIL <input checked="" type="checkbox"/></p> <p>HAND DELIVERED <input type="checkbox"/></p> <p>BY FACSIMILE <input type="checkbox"/></p> <p>VIA EMAIL <input type="checkbox"/></p>
<p>Christopher B. Durbin 1700 Seventh Avenue, Suite 1900 Seattle, WA 98101-1355 cdurbin@cooley.com</p> <p>Matthew D. Brown Amy M. Smith Cooley LLP 101 California Street, 5th Floor San Francisco, CA 94111-5800 brownmd@cooley.com amsmith@cooley.com</p> <p>Attorneys for Defendant Kromtech Alliance Corporation</p>	<p>VIA REGULAR MAIL <input type="checkbox"/></p> <p>VIA CERTIFIED MAIL <input checked="" type="checkbox"/></p> <p>HAND DELIVERED <input type="checkbox"/></p> <p>BY FACSIMILE <input type="checkbox"/></p> <p>VIA EMAIL <input type="checkbox"/></p>

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<p>Aaron Rocke Rocke Law Group, PLLC 101 Yesler Way, Suite 603 Seattle, WA 98104 aaron@rockelaw.com Attorney for Defendant Chris Vickery</p>	<p>VIA REGULAR MAIL <input type="checkbox"/> VIA CERTIFIED MAIL <input checked="" type="checkbox"/> HAND DELIVERED <input type="checkbox"/> BY FACSIMILE <input type="checkbox"/> VIA EMAIL <input type="checkbox"/></p>
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Janel Martindale

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